

REPRODUCTION SERVICE RECORD (Read INSTRUCTIONS on reverse before completing form)		1. DATE PREPARED 7-21-75	2. DATE REQUIRED 7-21-75	3. ORDERING UNIT NNFL
4. ORDERED FOR (Complete address if "Accounts Receivable") Mr. Harold Weisberg Rt. 8 Frederick, Md. 21701		5. ORDER PREPARED BY/EXTENSION J. M. Leahy 34092		6. APPROVING OFFICIAL/SYMBOL
		7. RECEIVED BY (Signature and date)		
8. DESCRIPTION OF MATERIAL RG 272 Warren Commission Documents dealing with Nagell and July 8, '64 Hoover letter		9. NO. OF ORIGINALS 1 7	10. COPIES PER ORIGINALS 1	
				11. TOTAL COPIES 7
A - NO FEE	☐ 12. INTERNAL NARS ☐ 13. MICROFILM PUBLICATIONS ☐ 14. PRESERVATION ☐ 15. OTHER GOVERNMENT AGENCY ☐ 16. OTHER (Specify)	B - FEE	18. ☐ GOVERNMENT ORDER ☐ PREPAID ☒ DEPOSIT ACCOUNT ☐ ACCOUNTS REC'BLE 19. PURCHASE ORDER NO., ACCOUNT NO., OR PREPAYMENT NO. #00269 ☐ RUSH	
	17. UNIT TO BE BILLED LAB USE AMOUNT \$		20. AMOUNT \$ 2.00 21. BILLING AUTHORIZATION 22. DATE SHIPPED LAB USE AMOUNT \$	

GENERAL SERVICES ADMINISTRATION

GSA FORM 6703-C (REV. 9-74)

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WASHINGTON, DC 20408

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GSA-361



Mr. Harold Weisberg
Rt. 8
Frederick, MD 21701

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JUN 21 4 29 PM '75
NARS MAIL ROOM

With regard to your paragraph (1) you say ~~you~~ "We do not have a list of ~~the~~ documents identified by the Department of Justice. The FBI, However, verified by telephone that we have the FBI Laboratory Report to Chief of Police Curry of November 23..." You also say, "If you will identify the documents to which you refer..."

The first of these may present a problem to the Archives, as it does to me, but the second does not and cannot. With regard to the documents you have not supplied I remind you that the National Archives, not I, set up the Warren Commission's files to begin with and has had custody of them. I do not have access to these files. If "There is no comprehensive index to the records of the Commission, " it is a sad commentary ~~of~~ on official care and concern about the priceless records of one of the greatest tragedies in our history, ~~and~~ but it neither diminishes your responsibilities under the law nor your capability of providing what I have asked for.

The law requires that I ask for the identifiable. I have gone farther and have actually identified for you . As you knew well the Commission xeroxed and replicated its files. Those in which there records were kept to my knowledge include:

GAI-FBI; GAI-AEC, Analytical Techniques, Inv. Inv 7, Inv (also given as Inv and Evid) 3-2, Inv ~~32~~- 3-2-2, and Inv 3-3.

In addition to ~~this~~ there was a record of everything coming in and going out. There were ~~separate files~~ of correspondence with the various federal agencies.

As an example of this duplication, the one document you have just supplied ~~from~~ ~~this~~ stamped as coming from the "Investigation and Evidence 3-2-2" files bears handwritten notations that are illegible in this copy of other files. In addition, that particular document is also in the GAI-FBI file.

The documents you have supplied refer to others you have not supplied.

~~In all this is what you have supplied.~~

These test results for which I sued were quite detailed and the subject of considerable communications between the Commission and other agencies and the agencies themselves. There was extensive communication relating to these tests. I have asked for everything of any nature you have on these tests, having been referred to you

by the FBI.

In all this is what you have supplied me:

Correspondence between the agencies conducting these many tests only a single letter, from the AEC to the Department of Justice. Yound^{did} ~~it~~ not supply any response. No single communication between the agencies, none between the various offices, as between the AEC in the Washington area and Oak Ridge. The single communication was dated nine months before the work was completed.

When the Commission directed its requests to ^{Me.} Hoover personally, you have provided but one such letter to him and only ~~4x~~ four from him.

With all the staff discussions on these tests and all the memos written on or about them you have provided a total of two.

Quite obviously this is but a minor fraction of what those 300 cubic feet of Commission files contain on this most basic scientific evidence, the most basic of the scientific evidence on which some many hundreds of pages of raw material were generated and conducted over so long a period of time.

Whatever the FBI many have meant by "verified" the document you refer to, the November 23, 19~~63~~63 mem to Mr. Curry, does not contain any results of either of the two tests in question. The closest thing to this is a comment from visual observation, an identification is anything but not a test result. It merely describes Exhibit 30 399 or Specimen Q1 as "of a copper alloy bucket with a lead core."

~~It is related to the evidence presented in the report of 11/22/63.~~

Moreover, being dated November 23, 1963, it cannot refer to any evidence collected later ~~ar~~ any tests done later, which means it cannot refer to the 100% of the results in question, those I have sought for more than a decade, to the knowledge of your staff.

I am aware of the stonewall position of the FBI on this going back to the morning after the promulgation of Executive Order of October 31, 1966. In it the Attorney General declared "I have determined that the National interest requires the entire body of evidence considered by the President's Commission...and now in the possession of the United States to be preserved intact" under your custody.

The test results for which I sue and all the documents I have requested if you

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clearly are encompassed by this Order. All were "considered by the Commission" and all were "in the possession of the United States."

On publication of this Order I appeared at the Archives and asked for access only to these test results. Your staff phoned the FBI in my presence and was referred to this single document, the November 23, 1966 letter which was written before any of the tests were completed. In all these years, including this most recent response to my most recent of countless requests, you have provided me nothing that can be described as the final results or reports on either spectrographic or neutron-activation analysis.

Yet under date of May 13, 1975 the FBI swore to an affidavit attesting that "all final reports with regard to the requested data had been furnished to the Warren Commission and are available to the public," through you.

While I believe this to have been false swearing and that in this case nothing could be more material, I nonetheless made a new request of the National Archives. In response to this new request I have been given no single paper that remotely meets this description and, in fact, not even all your files hold.

Therefore, with enough of an explanation to make clear what I seek and that you have not supplied it, I appeal the failure to provide me with the ~~identified and~~ identifiable and identified public information I requested.

It is, of course, obvious that if the FBI had supplied these "final reports" it would not have referred me to the National Archives for them while simultaneously refusing to provide me with copies from its own files at my cost.

Your (3) reads "records relating to the interception of Lee Harvey Oswald's mail by the CIA. We do not ~~know~~ know of any documents in our custody that relate to this subject."

Here again I do not have personal access to the files and have no way of knowing what files you checked. All the the files directly related to Oswald are oriented not around the assassination but around ~~interception~~ Russia, "pre-" and "Post-" Russian periods and when he was in Russia. There are a number of "investigation" ^{those} files and ~~that~~ that deal with Government Agencies Involved" or GAI. What any one of these can contain I have no way of knowing. Nor can I know how any may have been subdivided. This is true also of the communications between the Commission and its staff and the investigative agencies.

However, it was known that Oswald was an alleged defector. It has been public and published knowledge, to my knowledge going back to the late 1930s, that there were these mail covers. This was known to the federal agencies, which were the Commission's investigators - all its investigators. Moreover, these are the very agencies that asked for the mail covers. ~~In February 1964 the Commission knew~~ The Commission's counsel and other staff were all aware of this, in some cases certainly from personal participation. Commissioner Dulles at the very least among Commissioners knew of it from his having been Director, Central Intelligence. Under him as Director ^{a)} Oswald went to Russia and returned and ^{b)} the CIA was intercepting mail to and from Russia in particularly but not exclusively. In addition to all of this the FBI, CIA and the Commission, at the very least, knew in February 1964 that Oswald's mail was being intercepted inside of Russia.

Back as far as World War II there were interceptions and copying of foreign mail by the United States Government and in an official role I then filled some of this passed through my hands.

The Post Office knew of this, obvious. The Post Office knew of covers it permitted to the other agencies. The Post Office, through its inspectors, also served the Commission as part of its investigative staff.

My purpose here is not to treat the subject exhaustively but to indicate what I hope you will ~~agree~~ agree is more than enough to lead to the belief that the Commission members and staff and all the federal investigative agencies involved knew of the common practise of covering all the mail of which Oswald's was part, some knew of the interception, all knew of the need to investigate this, and you now tell me that in the enormity of the Commission's files there is no single mention of this? I remind you again that the National Archives set up the files and if I remember correctly also supplied the file clerks to the Commission.

I am interpreting your words to mean this because if I did not, your having written "We know of no documents in our custody that relate to the subject" would then mean you intend ambiguous language, deception.

If it is possible to believe that the CIA deliberately withheld from the Warren Commission the fact that it personally was intercepting this very mail; and if it is possible to believe that the FBI neither had knowledge of this or suspicion of it; it is not possible to believe that no member of the Commission, no member of its staff and the Post Office did not have knowledge and did not have the obligation to report and pursue that knowledge. Given the political beliefs and practises officially attributed to Oswald it is less possible to believe any of this.

I therefore believe that it was possible for my request to have been responded to more unequivocally and that if the proper ~~men~~ members of the Archives staff had been consulted and if the proper files had been searched some record of cover and interception of Oswald's mail, whether in Commission papers or those of the executive agencies, have to exist "in documents in our [your] custody that relate to this subject."

My request dealing with the names "artin Bray, friends/ of the families of those
~~lost~~ lost in the submarine Thrasher or Thresher and the "endix company was not
limited to a search under each of these proper names. Your letter is explicit in
saying that "No documents are filed under this name."

How they are filed I have no way of knowing. But I do know that there are other
and rather obvious files in which, had there been no entry under the names, items
of this nature could and should appear.

The relates to a reported threat to kill the President. (I do not believe I told
you it was addressed to the Secret Service. You say you checked its name index// only.)
The Commission did maintain a log of incoming mail and it did have two-way communication
with the executive agencies and it did inquire into threats to kill the President.

I do not believe that the simple checking of a name file is an adequate search,
I do know that your staff knows of other files that should have been check, and this
appeal is intended to cause the kind of search that could and should have been made
to begin with in the other files that it was known should have been searched.
and it did communicate on this subject with executive agencies.

Your invitation that I "use our research facilities, as you have in the past,"
while it follows the foregoing, need not relate to it alone and I do not take it to.
However, when the researcher is not permitted to examine the stored files, when as in
the past documents I have seen and requested copies of have been withdrawn, when I have
been told that those of which I have asked copies do not exist after I've seen them,
and when the cost of travel is prohibitive (if less so that for an American living
in Hawaii or Alaska), I do not believe the invitation, no matter how well it may
be motivated, in any way reduces your obligation/ to provide me with copies of documents
I have identified. Nor do I believe that "There is no comprehensive index to the
records of the Commission" is responsive or meets your obligation because you set those
files up and have been working them over regularly in the decade that they have been
in your physical possession.

You do not even refer to checking the card index the Commission began to make
and that you have, as I recall it consisting of some 6,000 names before the investigation
of the assassination of a President went on an economy binge.

Your (2) reads," Information concerning declassifications and 'whether any documents are still withheld' you requested in your letter of May 14,1975. We responded to your requests in our letter of June 17,1975."